## UNITED STATES DEPARTMENT OF COMMERCE
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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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| 09/161,277 | 09/28/98 | YOSHIDA | E 44084-326 |

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| EXAMINER |
|---|
| TRAN, D |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2624 | 6 |

**DATE MAILED:**
03/14/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

Commissioner of Patents and Trademarks

| | | Application No. | Applicant(s) |
|---|---|---|---|
| **Office Action Summary** | | 09/161,277 | YOSHIDA ET AL. |
| | | Examiner | Art Unit | |
| | | Douglas Q. Tran | 2624 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☐ Responsive to communication(s) filed on _____ .

2a) ☐ This action is **FINAL.**       2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) _1-15_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-15_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved  b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All  b) ☐ Some * c) ☐ None of:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

**Attachment(s)**

15) ☒ Notice of References Cited (PTO-892)

16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)

17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _4_ .

18) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

19) ☐ Notice of Informal Patent Application (PTO-152)

20) ☐ Other: _____ .

## DETAILED ACTION

### *Priority*

1.     Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers

have been placed of record in the file.

### *Claim Rejections - 35 USC § 102*

2.     The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United
> States before the invention thereof by the applicant for patent, or on an international application by another who
> has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention
> thereof by the applicant for patent.

3.     Claims 7-8 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Tamagaki

(US Patent No. 5,716,148).

As to claim 7, Tamagaki teaches:

receiving means (S104 in fig. 13) for receiving a data resend request sent from the image

forming apparatus (col. 11, lines 34-37) when the image forming apparatus has been restored to

its normal state (i.e., the trouble solving process is completed in step of S72 in fig. 11);

data resend means (S106 in fig. 13) for resending the data in response to the resend

request (col. 11, lines 39-41).

As to claim 8, Tamagaki teaches wherein the receiving means receives a job

identification information with the resend request, and the data resend means resend the data

corresponding to the job identification information (col. 10, line 66 through col. 11, line 2).

As to claim 14, Tamagaki teaches the method is performed by the apparatus claim 7 as

indicated above.

## Claim Rejections - 35 USC § 103

4.    The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

>    (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
>    section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
>    such that the subject matter as a whole would have been obvious at the time the invention was made to a person
>    having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
>    manner in which the invention was made.

5.    Claims 1-6, 9-13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Tamagaki in view of Bender et al. (US Patent No. 5,791,790).

As to claim 1, Tamagaki teaches:

determining means (i.e., controller section 67 in fig. 6) for determining, when the image

forming apparatus has been restored to its normal state (i.e., the trouble solving process is

completed in step of S72 in fig. 11), whether there are any jobs remaining to be printed based on

the print job processing status information stored in the backup memory ( col. 10, lines 59-65);

resend request issuing means (i.e., controller section 67 in fig. 6 and S76 and S77 in fig.

11) for requesting a terminal device (70 in fig. 6) that sent data of an outstanding print job to

resend the data when it is determined by the determining means that the outstanding print job

exists (col. 10, line 65 through col. 11, line 6).

However, Tamagaki does not teaches a non-volatile memory which stores processing

status information of print jobs;

Bender teaches a non-volatile memory which stores processing status information of print

jobs (col. 4, lines 61-67).

It would have been obvious to have modified the system of Tamagaki for storing

processing status information of print jobs by a non-volatile memory as taught by Bender. The

suggestion of modifying the system of Tamagaki can be reasoned by one of ordinary skill in the

art as set forth by Bender because Bender provides a printer easily keeps track and inspects the

status of the uncompleted printing data in a non-volatile memory after the power is restored and

continues to print the job.

As to claim 2, Tamagaki teaches the restoration in the determining means is a power

restoration after a shutdown (col. 13, lines 3-4).

As to claim 3, Tamagaki teaches job id information supply means for providing job id

information to each print job data sent from the external device (col. 10, line 65 through col. 11,

line 2).

As to claim 4, Tamagaki teaches wherein the resend request issuing means requests to

resend the data based on the job id information of the outstanding print job.

As to claim 5, Tamagaki teaches wherein the non-volatile memory stores the job id

information with a terminal device id which send data of the job (col. 10, line 65 through col. 11,

line 2).

As to claim 6, Tamagaki teaches wherein the data includes an information of print

request and a print data (col. 11, lines 33-37).

As to claim 9, Tamagaki teaches

the image forming apparatus (10 in fig. 6) including:

determining means (i.e., controller section 67 in fig. 6) for determining, when the image

forming apparatus has been restored to its normal state (i.e., the trouble solving process is

completed in step of S72 in fig. 11), whether there are any jobs remaining to be printed based on

the print job processing status information stored in the backup memory ( col. 10, lines 59-65);

resend request issuing means (i.e., controller section 67 in fig. 6 and S76 and S77 in fig.

11) for requesting a terminal device (70 in fig. 6) that sent data of an outstanding print job to

resend the data when it is determined by the determining means that the outstanding print job

exists (col. 10, line 65 through col. 11, line 6).

the terminal device (70 in fig. 6) including:

receiving means (S104 in fig. 13) for receiving a data resend request sent from the image

forming apparatus (col. 11, lines 34-37) when the image forming apparatus has been restored to

its normal state (i.e., the trouble solving process is completed in step of S72 in fig. 11);

data resend means (S106 in fig. 13) for resending the data in response to the resend

request (col. 11, lines 39-41).

the motivation of this claim is the same as the motivation in claim 1.

As to claims 10-11, due to the similarity of these claims to those of claims 2-3, these

claims are rejected by the reasons applied to claims 2-3

As to claim 12, Tamagaki teaches wherein the receiving means receives a job

identification information with the resend request, and the data resend means resend the data

corresponding to the job identification information (col. 10, line 66 through col. 11, line 2).

As to claim 13, the combination of Tamagaki and Bender teaches the method including

resuming printing based on the resend data sent from the terminal device is performed by the
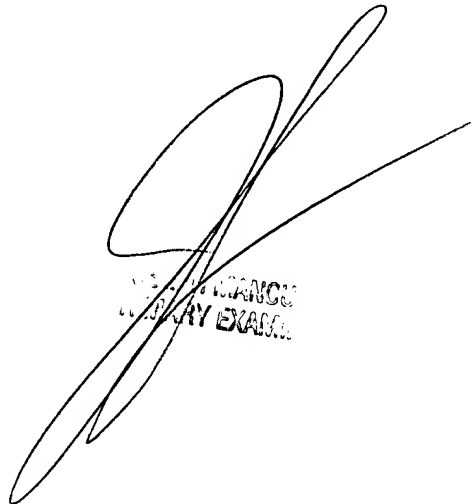
apparatus claim 1 as indicated above.

As to claim 15, the combination of Tamagaki and Bender teaches the method is

performed by the apparatus claim 9 as indicated above.

### *Conclusion*

6.      Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Douglas Q. Tran whose telephone number is (703) 305-4857 or
e-mail address is Douglas.tran@uspto.gov.
        Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Group receptionist whose telephone number is (703) 305-4700.


Douglas Q. Tran
Mar. 10,    2001